

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Veijo Vanttinen et al.
Serial No. : 10/018,313
Confirmation No. : 1629
Filing Date : May 9, 2002
Title : DETERMINATION OF THE POSITION
OF A MOBILE TERMINAL
Examiner : Julio R. Perez
Group Art Unit : 2617
Customer No. : **43829**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

September 9, 2008

SUPPLEMENTAL RESPONSE TO OFFICE ACTION

Sir:

Further to the Office Action Response submitted on September 5, 2008, applicants now submit this Supplemental Response to the Office Action dated June 5, 2008. Consideration of this Supplemental Response simultaneously with the original Response dated September 5, 2008 is respectfully requested.

In the previous Response, applicants asserted that U.S. Patent No. 6,560,457 should not be relied upon as prior art with respect to this application. A copy of Provisional Application No. 60/094,035 that is claimed as a priority application for the Silver patent is attached to this Supplemental Response. It can be seen therefrom that the provisional application consists of only 7 pages and does not include the paragraph (col.

September 9, 2008

9, lines 13-29) of U.S. Patent No. 6,560,457 issued to Silver that is cited in the obviousness rejection. Nor does the provisional application contain Fig. 5 that is discussed in the cited paragraph or much of the other content of the Silver patent. In particular, the provisional application does not include support, in the manner required by 35 USC § 112, first paragraph, for the location determination units that are recited in the rejected claims and alleged to be present in the Silver patent. Therefore, the obviousness rejection should be withdrawn for the reason that Silver is not prior art with respect to this application.

No fees are believed to be necessary. However, the Commissioner is hereby authorized to charge any fees necessary for the consideration of this Response, or to avoid abandonment of this application, to Deposit Account No. 13-0760 (Docket No. 06173.4009US).

September 9, 2008

Date

Respectfully submitted,



Robert M. Bauer, Reg. No. 34, 487